

DECLARATION AND POWER OF ATTORNEY
(UNASSIGNED NONPROVISIONAL APPLICATION)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 *et seq.* underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 *et seq.* below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

GENE DISCOVERY USING MICROARRAYS

and for which a patent application:

is attached hereto and includes amendment(s) filed on *(if applicable)*
 was filed in the United States on as Application No. *(for declaration not accompanying application)*
 with amendment(s) filed on *(if applicable)*
 was filed as PCT international Application No. on and was amended under PCT Article 19 on *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below

| APPLICATION NUMBER | FILING DATE |
|--------------------|-------------|
| 60/227,966 | 08/25/00 |
| 60/227,902 | 08/25/00 |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS | | |
|------------------------|-------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| | | | | |
| | | | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familar (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37,386), Garland T. Stephens (Reg. No. 37,242) and William J. Sipio (Reg. No. 34,514), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

| | | | | | |
|-------------------------|---------------------------|---|--------------------------------|--|-------------------|
| SEND CORRESPONDENCE TO: | | PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, NY 10036-2711 PTO Customer No. 20583 | | DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS LLP DOCKETING (212) 790-2803 | |
| 2 0 1 | FULL NAME OF INVENTOR | LAST NAME SHOEMAKER | FIRST NAME DANIEL | MIDDLE NAME D. | |
| | RESIDENCE & CITIZENSHIP | CITY BOTHELL | STATE OR FOREIGN COUNTRY WA | COUNTRY OF CITIZENSHIP UNITED STATES | |
| | POST OFFICE ADDRESS | STREET 14316 106TH AVENUE N.E. | CITY BOTHELL | STATE OR COUNTRY WA | ZIP CODE 98011 |
| | SIGNATURE OF INVENTOR 201 | | | DATE | |
| 2 0 2 | FULL NAME OF INVENTOR | LAST NAME SCHERER | FIRST NAME STEWART | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY MORAGA | STATE OR FOREIGN COUNTRY CA | COUNTRY OF CITIZENSHIP UNITED STATES | |
| | POST OFFICE ADDRESS | STREET 3938 PASEO GRANDE | CITY MORAGA | STATE OR COUNTRY CA | ZIP CODE 95556 |
| | SIGNATURE OF INVENTOR 202 | | | DATE | |
| 2 0 3 | FULL NAME OF INVENTOR | LAST NAME ALTSCHULER | FIRST NAME STEVEN | MIDDLE NAME J. | |
| | RESIDENCE & CITIZENSHIP | CITY REDMOND | STATE OR FOREIGN COUNTRY WA | COUNTRY OF CITIZENSHIP UNITED STATES | |
| | POST OFFICE ADDRESS | STREET 16134 NE 44TH CT. | CITY REDMOND | STATE OR COUNTRY WA | ZIP CODE 98052 |
| | SIGNATURE OF INVENTOR 203 | | | DATE | |
| 2 0 4 | FULL NAME OF INVENTOR | LAST NAME WU | FIRST NAME LANI | MIDDLE NAME F. | |
| | RESIDENCE & CITIZENSHIP | CITY REDMOND | STATE OR FOREIGN COUNTRY WA | COUNTRY OF CITIZENSHIP UNITED STATES | |
| | POST OFFICE ADDRESS | STREET 16134 NE 44TH CT. | CITY REDMOND | STATE OR COUNTRY WA | ZIP CODE 98052 |
| | SIGNATURE OF INVENTOR 204 | | | DATE | |
| 2 0 5 | FULL NAME OF INVENTOR | LAST NAME ARMOUR | FIRST NAME CHRISTOPHER | MIDDLE NAME D. | |
| | RESIDENCE & CITIZENSHIP | CITY KIRKLAND | STATE OR FOREIGN COUNTRY WA | COUNTRY OF CITIZENSHIP UNITED STATES | |
| | POST OFFICE ADDRESS | STREET 11632 100 AVENUE NE #120 | CITY KIRKLAND | STATE OR COUNTRY WA | ZIP CODE 98034 |
| | SIGNATURE OF INVENTOR 205 | | | DATE | |